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U. S. DEPARTMENT OF AGRICULTURE,

BUREAU OF PLANT INDUSTRY.

WM. A. TAYLOR, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

OCTOBER, 1916.

JOINT REGULATIONS (SECOND REVISION) OF THE SECRETARY OF THE TREASURY AND SECRETARY OF AGRICULTURE UNDER THE SEED IMPORTATION ACT, APPROVED AUGUST 24, 1912, AS AMENDED AUGUST 11, 1916.¹

The seed importation act of August 24, 1912, was amended August 11, 1916, by adding rye-grass and vetch to the seeds subject to the act and by prohibiting the entry of seeds containing less than a specified percentage of pure, live seed.

The regulations of the Secretary of the Treasury and the Secretary of Agriculture issued as Treasury Decision No. 35363, May 6, 1915, are hereby amended to read as follows.

REGULATION 1.—SHORT TITLE OF THE ACT.

The act "To regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes," approved August 24, 1912, as amended August 11, 1916, shall be known and referred to as "The seed importation act."

REGULATION 2.—DEFINITIONS.²

(a) *Clover*.—The term "clover" shall include:

Trifolium hybridum.....alsike clover.
Trifolium incarnatum.....crimson clover.
Trifolium pratense.....red clover.
Trifolium repens.....white clover.

(b) *Dodder*.—The term "dodder" shall include all species of *Cuscuta*.

(c) *Millet*.—The term "millet" shall include:

Chaetochloa italica (*Setaria italica*).....Hungarian or German millet.
Panicum miliaceum.....broom-corn millet.

(d) *Rape*.—The term "rape" shall include the forms of *Brassica napus*, winter rape, commonly grown as forage.

¹ These regulations will be promulgated by the United States Treasury Department in the series of Treasury Decisions as No. 36746.

² The technical plant names in the lists herein given are those in use by the United States Department of Agriculture. In cases where these names are not those recognized in the Index Kewensis, the Kew name follows in parentheses. The common names are not complete and are given only by way of explanation.

(e) *Rye-grass*.—The term “rye-grass” shall include the cultivated species of *Lolium*.

(f) *Sorghum*.—The term “sorghum” shall include the saccharine varieties of *Holcus sorghum* (*Sorghum vulgare*).

(g) *Kafir corn*.—The term “Kafir corn” shall include the nonsaccharine, or grain, varieties of *Holcus sorghum* (*Sorghum vulgare*), exclusive of broom corn.

(h) *Vetch*.—The term “vetch” shall include *Vicia sativa*, common or spring vetch, and *Vicia villosa*, hairy vetch.

(i) *Weeds*.—The following plants shall be considered weeds:

Abutilon theophrasti (A. avicennae)	Indian mallow.
Achillea millefolium	yarrow.
Agropyron repens	quack-grass.
Agrostemma githago (Lychnis githago)	corn cockle.
Allium vineale	garlic; wild onion.
Alsine (Stellaria)	chickweed.
Amaranthus	amaranth.
Ambrosia	ragweed.
Anagallis arvensis	pimpernel.
Anthemis	Mayweed.
Anthyllis vulneraria	kidney vetch.
Atriplex	saltbush.
Avena fatua	} wild oats.
Avena fatua glabrescens	
Axyris amaranthoides	
Berteroa incana (Alyssum incanum)	hoary alyssum.
Brassica	mustard.

Except *B. napus* (winter rape).

Bromus hordeaceus	} chess.
Bromus racemosus	
Bromus secalinus	
Bromus tectorum	
Bursa bursa-pastoris (Capsella bursa-pastoris)	shepherd's-purse.
Camelina	false flax.
Campe (Barbarea)	winter cress.
Carduus (including Cnicus)	thistle.
Carex	sedge.
Centaurea	star thistle; cornflower.
Cerastium	mouse-ear chickweed.
Chaetochloa glauca (Setaria glauca)	yellow foxtail; pigeon grass.
Chaetochloa viridis (Setaria viridis)	green foxtail.
Chenopodium	lamb's-quarters.
Chrysanthemum leucanthemum	oxeye daisy.
Cichorium intybus	chicory.
Conringia orientalis	hare's-ear mustard.
Convolvulus	bindweed.
Cuscuta	dodder.
Datura	jimson weed.
Daucus carota	wild carrot.
Echinochloa crus-galli (Panicum crus-galli)	barnyard grass.
Echium vulgare	blueweed.
Eragrostis	stink-grass.
Erodium cicutarium	alfilaria.
Eruca sativa	rocket (roquette).

<i>Erysimum</i>	treacle-mustard.
<i>Festuca myuros</i>	rat's-tail fescue.
<i>Galium</i>	bedstraw.
<i>Geranium</i>	crane's-bill.
<i>Grindelia squarrosa</i>	gunweed.
<i>Helianthus</i>	sunflower.
<i>Hibiscus trionum</i>	bladder ketmia.
<i>Hieracium</i>	hawkweed.
<i>Holcus halepensis</i> (<i>Sorghum halepense</i>).....	Johnson grass.
<i>Hypochaeris radicata</i>	cat's-ear.
<i>Ipomoea</i>	morning-glory.
<i>Iva</i>	marsh elder.
<i>Juncus</i>	rush.
<i>Lappula echinata</i> (<i>Echinospermum lappula</i>).....	stickseed.
<i>Lappula texana</i> (<i>Echinospermum redowskii</i>).....	stickseed.
<i>Leontodon autumnale</i>	fall dandelion.
<i>Leonurus cardiaca</i>	motherwort.
<i>Lepidium</i>	peppergrass.
<i>Linaria</i>	butter-and-eggs; toadflax.
<i>Lithospermum arvense</i>	corn gromwell.
<i>Lolium temulentum</i>	darnel.
<i>Lotus</i>	bird's-foot trefoil.
<i>Lychnis</i>	campion.
<i>Madia sativa</i>	tarweed.
<i>Matricaria inodora</i>	scentless camomile.
<i>Medicago arabica</i> (<i>M. maculata</i>).....	spotted bur clover.
<i>Medicago hispida denticulata</i> (<i>M. denticulata</i>).....	toothed bur clover.
<i>Medicago lupulina</i>	yellow trefoil.
<i>Melilotus</i>	sweet clover.
<i>Molinia coerulea</i>	_____
<i>Nepeta cataria</i>	catnip.
<i>Neslia paniculata</i>	ball mustard.
<i>Notholcus</i> (<i>Holcus</i>).....	velvet grass.
<i>Oenothera biennis</i>	evening primrose.
<i>Picris</i>	ox-tongue.
<i>Plantago</i>	buckhorn; plantain.
<i>Polygonum</i>	knotweed; bindweed; smart-weed; lady's-thumb.
<i>Portulaca oleracea</i>	purslane.
<i>Potentilla</i>	five-finger.
<i>Prunella vulgaris</i>	heal-all.
<i>Ranunculus</i>	buttercup.
<i>Raphanus raphanistrum</i>	wild radish.
<i>Rosa</i>	wild rose.
<i>Rudbeckia hirta</i>	brown-eyed Susan.
<i>Rumex</i>	dock; sorrel.
<i>Salsola</i>	Russian thistle.
<i>Sanguisorba</i>	burnet.
<i>Sherardia arvensis</i>	field madder.
<i>Silene</i>	catchfly.
<i>Sisymbrium</i>	tumbling mustard.
<i>Solanum</i>	nightshade.
<i>Sonchus</i>	sow thistle.
<i>Spargula</i>	spurry.

Syntherisma (Digitaria)_____	crab-grass.
Taraxacum_____	dandelion.
Thlaspi arvense_____	Frenchweed.
Tragopogon pratensis_____	goat's-beard.
Trifolium_____	wild clover.

Except *T. hybridum*, *T. incarnatum*, *T. pratense*,

and *T. repens*.

Vaccaria pyramidata (Saponaria vaccaria)_____	cow cockle.
Valerianella locusta (<i>V. olitoria</i>)_____	corn salad.
Verbena_____	verbena.
Vicia_____	vetch.

Except *V. sativa* and *V. villosa*.

REGULATION 3.—SAMPLING.

The collector of customs shall draw and forward for examination, without specific request from the Secretary of Agriculture, samples of all seeds of alfalfa, Canadian bluegrass, Kentucky bluegrass, millet, orchard grass, rape, redtop, rye-grass, timothy, clover, meadow fescue, awnless brome-grass, and vetch when entered for consumption, whether or not a consular invoice is presented on the entry thereof.

Samples of shipments of the other seeds enumerated in the act shall be drawn and forwarded only when the Secretary of Agriculture shall make specific request for such samples.

REGULATION 4.—DRAWING SAMPLES.

When a shipment is made up of several lots differing in quality or price, a sample of each lot shall be submitted as though each lot were a separate shipment. The sample of each lot or shipment submitted to the seed laboratories, in accordance with regulation 5, shall be drawn as follows: When a lot consists of five sacks or less, each sack shall be sampled, and when consisting of more than five sacks, every fifth sack, but not less than five sacks, shall be sampled, except that a separate sample shall be drawn from each sack of screenings or refuse resulting from the recleaning in bond of seeds imported subject to the act.

REGULATION 5.—SAMPLES, WHERE SENT.

All samples drawn under the act by customs officers shall be forwarded to the respective seed laboratories under which the ports are grouped in the following list of seed-laboratory districts, unless otherwise specifically requested by the Secretary of Agriculture or his representative.

1. *Seed Laboratory, United States Department of Agriculture, Washington, D. C.*—All ports in the States of Maine, Vermont, Rhode Island, New York, New Jersey, New Hampshire, Massachusetts, Connecticut, Pennsylvania, Maryland, Delaware, Virginia, Ohio, West Virginia, North Carolina, South Carolina, and Georgia, and Port Huron and Detroit, Mich.

2. *Seed Laboratory, Purdue University, La Fayette, Ind.*—All ports in the States of Indiana, Illinois, Kentucky, Tennessee, Wisconsin, and Minnesota, and all ports in Michigan except Port Huron and Detroit.

3. *Seed Laboratory, Agricultural Experiment Station, Columbia, Mo.*—All ports in the States of Missouri, Iowa, Arkansas, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Colorado.

4. *Seed Laboratory, Agricultural Experiment Station, Baton Rouge, La.*—All ports in the States of Alabama, Mississippi, Florida, Louisiana, Texas, and New Mexico.

5. *Seed Laboratory, Agricultural College, Corvallis, Oreg.*—All ports in the States of Montana, Wyoming, Idaho, Oregon, and Washington.

6. *Seed Laboratory, Agricultural Experiment Station, Berkeley, Cal.*—All ports in the States of California, Nevada, Arizona, and Utah.

REGULATION 6.—NOTICE TO CONSIGNEE.

The collector of customs shall immediately notify the consignee that samples have been drawn and that the remainder of the shipment must be held intact, pending a decision of the Secretary of Agriculture in the matter.

REGULATION 7.—EXAMINATION OF SEEDS—DELIVERY IN BOND.

Seeds offered for importation into the United States from any foreign country, after samples of each lot have been taken for examination, shall be admitted only after the samples have been examined and pronounced to be neither adulterated nor unfit for seeding purposes within the meaning of the seed importation act: *Provided, however,* That collectors of customs may deliver to consignees shipments which have been sampled on the execution of a bond in a sum equal to the invoice value of the seeds, together with the duty thereon, if any, conditioned upon the delivery of the shipments, or any part thereof, to the collector when demanded by him for any reason. Form Cat. No. 3393 may be modified and used for this bond.

REGULATION 8.—RELEASE OR RECLEANING OF SHIPMENT.

If the Secretary of Agriculture shall inform the collector that the seeds are not in violation of the said act, the collector shall no longer detain the shipment under that act, and the bond, if any, given pursuant to regulation 7 shall be canceled; but if the seeds are found to be in violation of the said act, the collector may permit the importer to reclean the seeds under bond at the expense of the importer, in accordance with regulations 9, 10, and 11.

REGULATION 9.—SAMPLES OF RECLEANED SEEDS.

The collector of customs shall draw and forward to the district seed laboratory designated in regulation 5 a sample of the recleaned seeds, together with a sample from each sack of the screenings or other refuse removed from the seeds in the course of cleaning, accompanied by a statement of the weight of the recleaned seeds and the weight of each individual sack of screenings, and the same procedure shall be followed with respect to such samples of the recleaned seeds as upon the original sample.

REGULATION 10.—EXPORTATION OF SHIPMENT.

If the Secretary of Agriculture shall inform the collector that the sample of the recleaned seeds is not satisfactory, or if the importer shall decline to reclean any shipment of seeds which the Secretary of Agriculture has found to be in violation of the said act, the collector shall refuse delivery of the shipment and require it to be exported under customs supervision.

REGULATION 11.—DISPOSITION OF REFUSE FROM RECLEANING.

If the Secretary of Agriculture shall inform the collector that any seeds which have been recleaned pursuant to regulation 8 are not adulterated and are fit for seeding purposes, such seeds may be released to the owner or consignee upon condition that—

(1) The screenings and other refuse removed in the course of recleaning shall have been exported under customs supervision; or

(2) The screenings and other refuse shall have been destroyed under customs supervision; or

(3) The dead seed, chaff, dirt, and similar refuse contained in the screenings shall have been destroyed under customs supervision and the balance of the screenings ground or otherwise treated under customs supervision so as to render any seeds contained therein incapable of germination; or

(4) The screenings or other refuse shall have been sacked, sealed, and tagged to the satisfaction of the collector of customs and are retained subject to the conditions of the bond given pursuant to regulation 7 to secure delivery of the shipment.

Screenings and other refuse retained in accordance with method 4 of this regulation may be recleaned at any time within 12 months from the date of the entry of the shipment. Unless recleaned within the said period of 12 months or treated according to method 2 or 3 of this regulation such screenings or other refuse shall be exported under customs supervision.

REGULATION 12.—IMPORTED SEED IN VIOLATION OF THE SEED IMPORTATION ACT NOT TO BE MIXED WITH OTHER SEED.

Mixing any seed with a lot or shipment of imported seed which has been found to be in violation of the seed importation act is prohibited, except that in cases where it shall appear to the satisfaction of the Secretary of Agriculture that two or more such lots or shipments of seed offered for importation are of substantially the same quality they may be mixed for the purpose of recleaning upon a written permit of the Secretary of Agriculture.

REGULATION 13.—NOTICE OF REMOVAL FROM PORT OF ENTRY.

The collector of customs will notify the Secretary of Agriculture whenever seed which has been sampled under the seed importation act is moved from one port to another port before being finally released.

REGULATION 14.—DISPOSITION OF DETAINED SHIPMENTS TO BE REPORTED.

The collector of customs shall inform the Secretary of Agriculture of the disposition made of every shipment detained under these regulations.

REGULATION 15.—FAILURE TO EXPORT TO BE REPORTED.

Should the importer fail to export within three months from the date of refusal of delivery any seeds the delivery of which has been refused under these regulations, the collector shall report the facts to the Secretary of the Treasury and to the United States attorney.

REGULATION 16.—WILLFUL VIOLATION TO BE REPORTED.

The collector of customs shall report to the Secretary of the Treasury and to the United States attorney any willful violation of the act which shall come to his knowledge.

REGULATION 17.—APPEAL TO THE SECRETARY OF AGRICULTURE.

All applications for relief from decisions as to the quality of seeds arising under these regulations should be addressed to the Secretary of Agriculture.

REGULATION 18.—FORWARDING OF SAMPLES OF ALL FORAGE-PLANT SEEDS.

Irrespective of the foregoing regulations, collectors of customs will forward to the Seed Laboratory, United States Department of Agriculture, Washington, D. C., 2-ounce samples of each lot of all grass, clover, and other forage-plant seeds imported into the United States.

REGULATION 19.—TAKING EFFECT OF REGULATIONS.

These regulations shall supersede all previous regulations under the seed importation act and shall take effect November 1, 1916.

D. F. HOUSTON,
Secretary of Agriculture.

WM. P. MALBURN,
Acting Secretary of the Treasury.

OCTOBER 16, 1916.

THE SEED IMPORTATION ACT.

AN ACT To regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes (37 Stat., 506).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after six months after the passage of this act the importation into the United States of seeds of alfalfa, barley, Canadian bluegrass, Kentucky bluegrass, awnless brome-grass, buckwheat, clover, field corn, Kafir corn, meadow fescue, flax, millet, oats, orchard grass, rape, redtop, rye, sorghum, timothy, and wheat, or mixtures of seeds containing any of such seeds as one of the principal component parts, which are adulterated or unfit for seeding purposes under the terms of this act is hereby prohibited; and the Secretary of the Treasury and the Secretary of Agriculture shall, jointly or severally, make such rules and regulations as will prevent the importation of such seeds into the United States: *Provided, however,* That such seeds may be delivered to the owner or consignee thereof under bond, to be recleaned in accordance with and subject to such regulations as the Secretary of the Treasury may prescribe, and when cleaned to the standard of purity specified in this act for admission into the United States such seed may be released to the owner or consignee thereof after the screenings and other refuse removed from such seed shall have been disposed of in a manner prescribed by the Secretary of Agriculture: *Provided further,* That this act shall not apply to the importation of barley, buckwheat, field corn, Kafir corn, sorghum, flax, oats, rye, or wheat not intended for seeding purposes, when shipped in bond through the United States or imported for the purpose of manufacture, but such shipment shall be subject to provisions of the act of August fifth, nineteen hundred and nine.

SEC. 2. That seed shall be considered adulterated within the meaning of this act—

First. When seed of red clover contains more than three per centum by weight of seed of yellow trefoil, or any other seed of similar appearance to and of lower market value than seed of red clover.

Second. When seed of alfalfa contains more than three per centum by weight of seed of yellow trefoil, burr clover and sweet clover, singly or combined.

Third. When any kind or variety of the seeds, or any mixture described in section one of this act, contains more than five per centum by weight of seed of another kind or variety of lower market value and of similar appearance: *Provided,* That the mixture of the seed of white and alsike clover, red and alsike clover, or alsike clover and timothy, shall not be deemed an adulteration under this section.

SEC. 3. That seed shall be considered unfit for seeding purposes within the meaning of this act—

First. When any kind or variety of clover or alfalfa seed contains more than one seed of dodder to five grams of clover or alfalfa seed, respectively.

Second. When any kind or variety of the seeds or any mixture described in section one of this act contains more than three per centum by weight of seeds of weeds.

SEC. 4. That any person or persons who shall knowingly violate the provisions of this act shall be deemed guilty of a misdemeanor and shall pay a fine of not exceeding five hundred dollars and not less than two hundred dollars: *Provided,* That any person or persons who shall knowingly sell for seeding purposes seeds or grain which were imported under the provisions of this act for the purpose of manufacture shall be deemed guilty of a violation of this act.

Approved August 24, 1912.

**AMENDMENT OF THE SEED IMPORTATION ACT OF AUGUST 24,
1912.**

[Extract from the Agricultural appropriation act of August 11, 1916 (Public No. 190—
64th Congress)].

* * * and, hereafter, the provisions of said act approved August twenty-fourth, nineteen hundred and twelve, shall be applied to seed of vetch and ryegrass; and, hereafter, when any kind or variety or mixture of the seeds subject to the provisions of said act of August twenty-fourth, nineteen hundred and twelve, as hereby amended, shall contain less than sixty-five per centum of live, pure seed as distinguished from dead seed, chaff, dirt, other seeds, or foreign matter, such seeds or mixtures thereof shall be deemed unfit for seeding purposes within the meaning of said act approved August twenty-fourth, nineteen hundred and twelve, and the importation of such seed or mixture thereof is prohibited: *Provided, however,* That seed of Kentucky bluegrass and seed of Canada bluegrass shall not be considered unfit for seeding purposes when they contain fifty per centum or more of live, pure seed.

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